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COMMISSION ON HUMAN RIGHTS

Fifty-fifth session

SUMMARY RECORD OF THE 60th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 28 April 1999, at 6 p.m.

Chairperson: Ms. ANDERSON (Ireland)

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GE.99-13376 (E)

The meeting was called to order at 6.05 p.m.

RIGHTS OF THE CHILD (agenda item 13) (continued) (E/CN.4/1999/L.39 and 103; E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. I, draft decision 3)

Draft resolution on the rights of the child (E/CN.4/1999/L.39 and 103)

1. The CHAIRPERSON recalled that the draft resolution had been introduced at the end of the previous meeting.

2. Mr. AGUILAR URBINA (Secretary of the Commission) said that the observers for Côte d'Ivoire, Georgia, Monaco, Saudi Arabia and Togo had become sponsors of the draft resolution.

3. Mr. COMBA (Office of the High Commissioner for Human Rights) said, in relation to the decision contained in paragraph 13 (b) (iii), that provision for substantive and conference service requirements had been included under the programme budget for the current biennium. As for the decision contained in paragraph 8, financial provision of approximately US$ 24,000 for 1999 had been included under the programme budget for the current biennium and US$ 39,000 under the proposed programme budget for the biennium 2000-2001.

4. Draft resolution E/CN.4/1999/L.39, as amended by document E/CN.4/1999/L.103, was adopted.

5. The CHAIRPERSON noted that Sub-Commission draft decision 3, contained in document E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chapter I, B.3, had been superseded by the draft resolution.

6. Ms. HERNÁNDEZ CUESADA (Cuba) said it was regrettable that Sub-Commission draft decision 3 had not been adopted separately, since its scope extended beyond the confines of agenda item 13.

7. Ms. RUBIN (United States of America), speaking in explanation of her delegation's position, said it had felt unable to be a sponsor of the draft resolution owing to the ambiguous language regarding the question of child soldiers: the text could be read as an attempt to prejudge the outcome both of the working group on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and of International Labour Organization negotiations on the proposed convention on the worst forms of child labour. More emphasis should have been laid on meeting existing standards - article 77 of Protocol I of the Geneva Conventions and article 38 of the Convention on the Rights of the Child - at the same time as attempting to establish new standards. As for the general call for the withdrawal of reservations, it was clear from article 51 of the Convention on the Rights of the Child and from the Vienna Convention on the Law of Treaties that reservations to a treaty were acceptable if they were not incompatible with the object and purpose of the treaty.

8. Her delegation also dissociated itself from the heading to section VI; it did not correspond with the careful wording of the ensuing text, which spoke of the abolition of child labour "contrary to accepted international standards". Many Governments, including her own, allowed children to work in certain carefully circumscribed circumstances, but the heading of section VI made no allowance for such circumstances.

9. She endorsed the view that juvenile offenders should be treated with dignity. Her Government did so, in conformity with its commitments under the International Covenant on Civil and Political Rights.

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

(a) REPORT AND DRAFT DECISIONS

(b) ELECTION OF MEMBERS (agenda item 16) (continued)
(E/CN.4/1999/L.67/Rev.1)

Draft resolution on the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities
(E/CN.4/1999/L.67/Rev.1)

10. Mr. VAN RIJSSEN (Observer for the Netherlands), introducing the draft resolution, said that the original version had contained some modest elements intended to strengthen the emphasis on the need to reinforce the independence of the Sub-Commission's membership, without any attempt to pre-empt the full and open debate on the Sub-Commission's place as a part of the human rights machinery. Some delegations had nonetheless pointed out that even the modest proposals made by his delegation could influence the more comprehensive debate and his delegation had therefore redefined its aspirations, although its commitment to the guidelines on the independence of the membership of the Sub-Commission remained as strong as ever. In a year when it was of the utmost importance to maintain agreement on the many difficult issues ahead, his delegation had decided to make the adoption of the draft resolution as unproblematic as possible.

11. Mr. AGUILAR URBINA (Secretary of the Commission) said that the delegations of France, the Russian Federation and the United States of America and the observer for The former Yugoslav Republic of Macedonia had become sponsors of the draft resolution.

12. Mr. COMBA (Office of the High Commissioner for Human Rights) said that provision for substantive services and conference services, in accordance with paragraph 9, had been included in the programme budget for the 1998-1999 biennium.

13. The draft resolution was adopted.

ORGANIZATION OF THE WORK OF THE COMMISSION (agenda item 3) (continued)

Draft decision on the organization of the work of the fifty-sixth session of the Commission

14. The CHAIRPERSON suggested that the Commission might wish to adopt the following draft decision:

"At its 60th meeting, on 28 April 1999, the Commission on Human Rights, taking note of Economic and Social Council decision 1994/297 of 29 July 1994 and bearing in mind Council decision 1995/296 of 25 July 1995, decided, without a vote, that the fifty-sixth session of the Commission should be scheduled to take place from 20 March to 28 April 2000."

15. The draft decision was adopted.

Organization of the work of the fifty-sixth session of the Commission

16. The CHAIRPERSON suggested that the Commission might wish to adopt the following draft decision:

"At its 60th meeting, on 28 April 1999, the Commission on Human Rights, taking into account its heavy schedule of work, as well as the need to give adequate consideration to all the items on its agenda, and recalling that in previous years the Economic and Social Council had approved the Commission's requests for additional meetings for its thirty-seventh to fifty-fifth sessions, decided; without a vote:

(a) To recommend to the Economic and Social Council that it authorize, if possible within existing financial resources, 30 fully serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, for the Commission's fifty-sixth session;

(b) To request the Chairperson of the Commission at its fifty-sixth session to make every effort to organize the work of the session within the times normally allotted, so that the additional meetings that the Economic and Social Council might authorize would be utilized only if they proved to be absolutely necessary."

17. The draft decision was adopted.

The meeting rose at 6.20 p.m.